

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15-cv-77-FDW**

**RONALD MCCLARY,**

**Plaintiff,**

**vs.**

**ANTHONY SEARLES,**

**Defendant.**

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**ORDER**


**THIS MATTER** is before the Court on a periodic status review of Plaintiff's action filed pursuant to 42 U.S.C. § 1983, on February 18, 2015. On May 13, 2015, this Court entered an Order directing service of process on Defendant Searles. (Doc. No. 10). There is no notation on the docket report indicating whether the Clerk's office mailed summonses forms to Plaintiff to be returned to the Clerk for processing. Plaintiff has not returned any summons forms to the Clerk for service of process by the U.S. Marshal. Moreover, on June 2, 2015, Plaintiff filed an Amended Complaint purporting to add two Defendants. (Doc. No. 12). The Clerk of this Court is respectfully instructed to mail three summons forms to Plaintiff to be returned to the Clerk for processing and note as such on the Court's docket report. Plaintiff shall then have twenty days from service of the summons in which to return the summons forms to the Court. If Plaintiff does not return the summons forms to the Court within the time period allotted, this matter will be dismissed without prejudice and without further notice to Plaintiff.

**IT IS, THEREFORE, ORDERED that:**

The Clerk of this Court is instructed to mail three summons forms to Plaintiff to be returned to the Clerk for processing and note as such on the docket report. Plaintiff shall then have twenty

days from service of the summons in which to return the summons forms to the Court. If Plaintiff does not return the summons forms to the Court within the time period allotted, this matter will be dismissed without prejudice and without further notice to Plaintiff.

The Clerk is further respectfully instructed to mail Plaintiff another Section 1983 form in accordance with his request in his filing of the Amended Complaint on June 2, 2015.

  
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Frank D. Whitney  
Chief United States District Judge

